

Senate Bill No. 1624

CHAPTER 157

An act to amend Section 798.34 of the Civil Code, relating to mobilehomes.

[Approved by Governor July 11, 1996. Filed with
Secretary of State July 12, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1624, Craven. Mobilehomes.

The existing Mobilehome Residency Law prohibits a homeowner of a mobilehome from being charged a fee for a guest who does not stay with the homeowner for more than a prescribed period.

Under the law, a senior mobilehome owner, as defined, may share his or her mobilehome with any person over 18 years of age if that person is providing live-in health care or supportive care to the homeowner pursuant to a written treatment plan prepared by the homeowner's physician and surgeon.

The law prohibits a homeowner from being charged a fee based on the number of members in his or her immediate family, as defined.

This bill would authorize a senior mobilehome owner who is living in a mobilehome park reserved for older persons, as described, to share his or her mobilehome with any person over 18 years of age if that person is a parent, sibling, child, or grandchild of the senior homeowner and requires live-in health care, live-in supportive care, or supervision pursuant to a written treatment plan prepared by a physician and surgeon. The bill would prohibit management from charging a fee for this person and would provide, among other things, that this person shall have no rights of tenancy in the park and that management shall not be required to manage, supervise, or provide for the person's care. The bill also would provide that this person shall comply with the rules and regulations of the mobilehome park and a violation of those rules and regulations by that person shall be deemed a violation thereof by the homeowner pursuant to existing provisions of law.

The people of the State of California do enact as follows:

SECTION 1. Section 798.34 of the Civil Code is amended to read:

798.34. (a) A homeowner shall not be charged a fee for a guest who does not stay with him or her for more than a total of 20 consecutive days or a total of 30 days in a calendar year. A person who is a guest, as described in this subdivision, shall not be required to register with the management.

(b) A homeowner who is living alone and who wishes to share his or her mobilehome with one person may do so, and a fee shall not be imposed by management for that person. The person shall be considered a guest of the homeowner and any agreement between the homeowner and the person shall not change the terms and conditions of the rental agreement between management and the homeowner. The guest shall comply with the provisions of the rules and regulations of the mobilehome park.

(c) A senior homeowner may share his or her mobilehome with any person over 18 years of age if that person is providing live-in health care or live-in supportive care to the homeowner pursuant to a written treatment plan prepared by the homeowner's physician. A fee shall not be charged by management for that person. That person shall have no rights of tenancy in the park, and any agreement between the homeowner and the person shall not change the terms and conditions of the rental agreement between management and the homeowner. That person shall comply with the rules and regulations of the mobilehome park. As used in this subdivision, "senior homeowner" means a homeowner who is 55 years of age or older.

(d) A senior homeowner who resides in a mobilehome park that has implemented rules or regulations limiting residency based on age requirements for housing for older persons, pursuant to Section 798.76, may share his or her mobilehome with any person over 18 years of age if this person is a parent, sibling, child, or grandchild of the senior homeowner and requires live-in health care, live-in supportive care, or supervision pursuant to a written treatment plan prepared by a physician and surgeon. Management may not charge a fee for this person. Any agreement between the senior homeowner and this person shall not change the terms and conditions of the rental agreement between management and the senior homeowner. Unless otherwise agreed upon, park management shall not be required to manage, supervise, or provide for this person's care during his or her stay in the mobilehome park. This person shall have no rights of tenancy in the park, but shall comply with the rules and regulations of the mobilehome park. A violation of the mobilehome park rules and regulations by this person shall be deemed a violation of the rules and regulations by the homeowner pursuant to subdivision (d) of Section 798.56. As used in this subdivision, "senior homeowner" means a homeowner who is 55 years of age or older.

